

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-4617

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TYANNA CELESTE ROBINSON,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. N. Carlton Tilley, Jr., Senior District Judge. (1:01-cr-00128-NCT-1)

Submitted: February 23, 2015

Decided: February 25, 2015

Before MOTZ and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed in part; affirmed in part by unpublished per curiam opinion.

Louis C. Allen, Federal Public Defender, John A. Dusenbury, Jr., Kathleen A. Gleason, Assistant Federal Public Defenders, Greensboro, North Carolina, for Appellant. Robert Michael Hamilton, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tyanna Celeste Robinson appeals from the district court's judgment revoking her supervised release and sentencing her to 10 months' imprisonment and a 12-month term of supervised release. Robinson's counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious issues for appeal, but questioning whether the district court erred in imposing a sentence where the purpose of the 10-month prison term was to provide rehabilitation. Robinson was informed of her right to file a pro se supplemental brief, but she has not done so. The Government declined to file a brief. During the pendency of this appeal, Robinson was released from incarceration and began serving the 12-month term of supervised release.

We may address sua sponte whether an issue on appeal presents "a live case or controversy . . . since mootness goes to the heart of the Article III jurisdiction of the courts." Friedman's, Inc. v. Dunlap, 290 F.3d 191, 197 (4th Cir. 2002) (internal quotation marks and citation omitted). Because Robinson already has served her term of imprisonment, there is no longer a live controversy regarding the length of her confinement. Therefore, counsel's challenge to the district court's decision to impose the 10-month prison term is moot. See United States v. Hardy, 545 F.3d 280, 283-84 (4th Cir.

2008). However, because Robinson is serving the 12-month term of supervised release and because her attorney filed an Anders brief, we retain jurisdiction to review pursuant to Anders the district court's decisions to revoke Robinson's supervised release and to impose the 12-month term of supervised release.

In accordance with Anders, we have reviewed the record in this case and have found no meritorious issues for appeal. We therefore dismiss the appeal as moot to the extent Robinson seeks to challenge her 10-month prison sentence and affirm the district court's judgment, in part. This court requires that counsel inform Robinson, in writing, of the right to petition the Supreme Court of the United States for further review. If Robinson requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on Robinson.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED IN PART;
AFFIRMED IN PART